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FOUNDED 1866

June 23, 2015

**By ECF (without enclosure) and U.S. Mail**

The Honorable Jack B. Weinstein  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: *Kurtz v. Kimberly-Clark Corp., et al.*, No. 1:14-cv-1142-JBW-RML;  
*Belfiore v. The Proctor & Gamble Co.*, 2:14-cv-04090-JBW-RML;  
Electronic Copy of Science Day Exhibit 9

Dear Judge Weinstein:

Pursuant to this Court's June 23, 2015 order (*Kurtz* D.E. 150), I enclose on behalf of Kimberly-Clark Corp. a thumb drive containing an electronic or soft copy of Kimberly-Clark's PowerPoint presentation from the June 19, 2015 science day hearing. The Court admitted a paper copy of that presentation into evidence as Exhibit 9 during the hearing. Electronic copies of the documents excerpted on slides 10-12 of the presentation (*i.e.*, KIRKLAND002507, PARSA000005, KIRKLAND002768) also are included on the thumb drive.

The multimedia elements of the soft copy of the PowerPoint are easiest to understand if the file is viewed in "slide show" mode. Multimedia or animated elements appear on the following slides:

- Slide 7 has a link to Kimberly-Clark's video of the Toilet and Drainline Test, a video that Kimberly-Clark produced for its website. (To view the video, click the underlined text "Toilet and Drainline Test" that appears beside the third bullet on Slide 7 and the video should begin to play, then, at the video's conclusion, click the blue left-facing arrow to return to the slide show). The Toilet and Drainline video also can be viewed directly by clicking on Slide 15 in "slide show" mode.
- Slide 8 has animated graphs illustrating how the 2013 and 2014 versions of Kimberly-Clark's Flushable Cleaning Cloths lose strength in the drainline over time (the graphs animate upon being clicked).
- Slide 9 has animated boxes that appear as the slide is clicked to demonstrate which INDA tests may be relevant to municipalities and different types of

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consumers, respectively. As David Powling testified, the graphics at the bottom of the slide illustrate the INDA tests relevant to municipal treatment, whereas the graphics at the top of the slide represent three different types of dwellings and the INDA test or tests that are relevant to each. *See* June 19, 2015 Hr’g Tr. at 107:14-113:3.

- Slides 10-12 have animations that illustrate relevant quotes from the emails and documents written by Rob Villee, whom Plaintiffs have designated to testify on July 21, 2015. As noted above, electronic copies of those documents also are separately included on the thumb drive.
- Slide 13, when clicked, shows an excerpt of a video created by Mr. Villee, a video which he presented at WEFTEC (a water quality conference) in 2013 and which has been published on YouTube since 2013. The excerpted video also can be viewed directly by clicking on Slide 16 in “slide show” mode.

Respectfully submitted

/s/ Eamon P. Joyce

Eamon P. Joyce

Enclosure by U.S. Mail

cc: Counsel of record in *Kurtz* and *Belfiore* (via ECF, with enclosures via email)